

REMARKS

The present amendment is in response to the Office Action dated December 16, 2009. Claims 1-4, 6, and 18-27 are now present in this case. By this amendment, claims 1 and 23 have been amended, no claims have been canceled, and no new claims have been added.

Rejection of Claims under 35 U.S.C. § 103

Claims 1-4, 6, and 18-27 stand rejected under 35 U.S.C. § 103(a) being as unpatentable over U.S. Patent Application Publication No. 2005/0162396 filed by Meckesheimer et al. Claims 1 and 23 are independent claims.

The Office Action cites claim 18 and paragraph 51 of Meckesheimer et al. as disclosing generating an identification code at the microcontroller without reading the identification code from any memory. At page 4, paragraph 51, Meckesheimer et al. states "generating a signal having one or more placard identification codes and a customer specific message associated with each of the placard identification codes from a database...." (page 4, paragraph 51, emphasis added). The plain meaning of this phrase is that a signal is generated from a database, the signal having one or more placard identification codes and a customer specific message associated with each of the placard identification codes. Nothing in paragraph 51 teaches or suggests that the placard identification codes are generated by a controller without first reading them from memory (i.e., the database).

Claim 18 of Meckesheimer et al. also fails to provide any support for concluding that Meckesheimer et al. discloses generating an identification code at the microcontroller without reading the identification code from any memory. Claim 18 of Meckesheimer et al. recites "a controller coupled to the transmitter for generating the signal, wherein the signal comprises one or more identification codes, each identification code being associated with one of the plurality of placards, each identification code having associated with it a customer specific message." (See also, page 4, paragraph 49). In other words, claim 18 recites a controller for generating a signal, the signal including one or more identification codes, each of which is associated with one of the plurality of placards. Further, a customer specific message is associated

with each identification code. Therefore, nothing in claim 18 or paragraph 51 supports the argument that the controller generates the identification code without first reading it from memory.

Nevertheless, in the interest of advancing prosecution, independent claims 1 and 23 have both been amended to recite “the identification code identifying the wireless transmitting device.” At pages 2-3, the Office Action asserts that the transmitter 11 of Meckesheimer et al. corresponds to the wireless transmitting device recited in the claims and the receiver 13 of Meckesheimer et al. corresponds to the wireless receiving device recited in the claims. Thus, in Meckesheimer et al., the placard identification codes identify the wireless receiving devices, not the wireless transmitting device as recited in claims 1 and 23.

Meckesheimer et al. discloses in some implementations the placards may transmit return signals. However, they do so after having accessed the identification code 15 stored in memory. (see page 5, paragraph 54). Therefore, Meckesheimer et al. fails to teach or suggest an identification code identifying a wireless transmitting device as recited in the pending claims.

For at least the reasons discussed above, Meckesheimer et al. fails to render obvious claims 1-4, 6, and 18-27. Withdrawal of this ground for rejection is respectfully requested.

No fee is believed due. If additional fees are believed necessary, the Commissioner is authorized to charge any deficiency or credit any overpayment to Deposit Account No. 04-0258 of Davis Wright Tremaine LLP.

All of the claims remaining in the application are now believed to be allowable. Favorable consideration and a Notice of Allowance are earnestly solicited.

If questions remain regarding this application, the Examiner is invited to contact the undersigned at (206) 757-8021.

Respectfully submitted,
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